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09/971,086	10/05/2001	John Robinson	06975-153001	2103

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FISH & RICHARDSON P.C.
1425 K STREET, N.W.
11TH FLOOR
WASHINGTON, DC 20005-3500

EXAMINER

KOROBOV, VITALI A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/971,086

Applicant(s)

ROBINSON, JOHN

Examiner

Vitali Korobov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 - 36 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 - 4, 10, 12, 28 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,374,402 by Schmeidler et al. (Schmeidler).

With respect to claim 1, Schmeidler teaches a method of processing a data stream with a computer system, the method comprising: receiving the data stream using a browser application (Fig 4A, step 402); detecting a content type of data in the data stream (Col. 10, lines 47 – 51); temporarily overriding a default rendering process otherwise associated with the content type detected for the data in the data stream by associating a particular rendering process with the data stream based on the type of data in the data stream (Col. 16, lines 13 – 17 and lines 57 - 59); and routing the data stream to the particular rendering process (Fig. 6, decisional block 606 and step 608).

With respect to claim 2, Schmeidler teaches the method of claim 1 wherein the content type of data is a Multipurpose Internet Mail Extension (MIME) type (Col. 9, lines 36 – 41).

With respect to claim 3, Schmeidler teaches the method of claim 1 wherein the default rendering process is identified in a registry of the computer system (Col. 9, lines 37 – 39).

With respect to claim 4, Schmeidler teaches the method of claim 1 wherein the data stream is received in response to a request from the browser application (Fig. 2B, item 224).

With respect to claim 10, Schmeidler teaches a method of processing a data stream with a computer system, comprising: receiving a data stream using a browser application (Fig 4A, step 402); identifying a stream type for the data stream (Col. 10, lines 47 – 51); and directing the data stream away from a data process designated as a default by the computer system based on the data type identified for the data stream (Fig. 6, decisional block 606 and step 608).

With respect to claim 12, Schmeidler teaches the method of claim 10 wherein the data type is a Multipurpose Internet Mail Extensions (MIME) type (Col. 9, lines 36 – 41).

Claims 19 - 22 are rejected in view of the above rejection of claims 1 – 4, respectively, as differing from said claims only in statutory category. Claims 19 - 22 are essentially the same as claims 1 - 4, except that claims 19 - 22 set forth the invention as a program rather than a method, as do claims 1 - 4.

Claims 28 and 30 are rejected in view of the above rejection of claims 10 and 12, respectively, as differing from said claims only in statutory category. Claims 28 and 30 are essentially the same as claims 10 and 12, except that claims 28 and 30 set forth the invention as a program rather than a method, as do claims 10 and 12.

3. Claims 13 - 18 and claims 31 - 36 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,009,462 by Birrell et al. (Birrell).

With respect to claim 13 Birrell teaches a method comprising: calling a data stream using a browser running on a computer system (Fig. 1, Web browser 115. See also col. 2, lines 66 - 67 and col. 3, lines 1 - 3); detecting a first type of data associated with the data stream called by the browser (Col. 12, lines 64 - 67); and redefining the first type of data as a second type of data (Col. 13, lines 3 - 5).

With respect to claim 14 Birrell teaches the method of claim 13 wherein the first type of data and the second type of data are Multipurpose Internet Mail Extensions (MIME) standard types (Col. 12, lines 64 - 67. See also Fig. 10, items 1031 - "hot - link").

With respect to claim 15 Birrell teaches the method of claim 14 further comprising loading a MIME filter into an operating system of the computer. (Fig. 10, MIME filter 1001. See also col. 13, lines 1 - 3).

With respect to claim 16 Birrell teaches the method of claim 15 further comprising receiving notification in the browser that a data stream is available for filtering by the MIME filter. (Col. 12, lines 4 - 11. This limitation is also inherently present in any usable e-mail application).

With respect to claim 17 Birrell teaches the method of claim 15 further comprising activating multimedia subsystem player running on the computer system to render the data stream. (Col. 12, lines 28 - 34).

With respect to claim 18 Birrell teaches the method of claim 17 further comprising passing the data stream to the player (Col. 12, lines 24 - 27).

Claims 31 - 36 are rejected in view of the above rejection of claims 13 - 18, respectively, as differing from said claims only in statutory category. Claims 31 - 36 are essentially the same as claims 13 - 18, except that claims 31 - 36 set forth the invention as a program rather than a method, as do claims 13 - 18.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 - 8, 11, 23 - 26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmeidler in view of U.S. Patent 6,564,255 B1 by Mobini et al. (Mobini).

With respect to claim 5, Schmeidler teaches the method of claim 1. Schmeidler fails to explicitly teach additional limitation of claim 5 wherein temporarily overriding the default rendering process includes: discriminating among internal and external instances of the browser application used to receive the data stream; and temporarily overriding the default rendering process if the browser application is an internal instance. Mobini teaches a method of processing a data stream with a computer system wherein temporarily overriding the default rendering process includes: discriminating

among internal and external instances of the browser application used to receive the data stream (Fig. 6. Internal and external browsers, interpreted broadly, are two types of browsers. Mobini teaches discrimination between two types of browsers for handling data content depending on the type of said content, DVD vs. HTML); and temporarily overriding the default rendering process if the browser application is an internal instance (Fig. 4. Routing of data to DVD presentation engine or to HTML presentation engine in effect constitutes a process of overriding of the default rendering process).

With respect to claim 6, the combined references of Schmeidler and Mobini teach the method of claim 5 further comprising routing the data stream to the default rendering process if the browser application is an external instance (Col. 7, lines 24 – 30, data routing between two types of presentation engines).

With respect to claim 7, the combined references of Schmeidler and Mobini teach the method of claim 5 wherein the default rendering process is identified in a registry of the computer, and wherein temporarily overriding the default rendering process includes supplementing the registry of the computer with the particular rendering process if the browser application is an internal instance (See Schmeidler, Fig. 6, step 602, storing network file system registry entries locally. Also see Schmeidler col. 16, lines 13 – 17).

With respect to claim 8, the combined references of Schmeidler and Mobini teach the method of claim 7 further comprising: processing the data stream with the temporary rendering process (See Schmeidler, Fig. 6, step 604); and upon completing of the

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processing, disassociating the temporary rendering process with the type of data in the data stream (See Schmeidler, Fig. 6, step 612).

With respect to claim 11, Schmeidler teaches the method of claim 10. Schmeidler fails to explicitly teach additional limitation of claim 11 further comprising determining whether a browser is embedded as an internal instance of a software application, such that the data stream is directed to a data process other than the default when the browser is determined to be an internal instance. Mobini teaches additional limitation of claim 11 further comprising determining whether a browser is embedded as an internal instance of a software application, such that the data stream is directed to a data process other than the default when the browser is determined to be an internal instance (See Fig. 4, where DVD browser 402 is part of the Interactive DVD application and HTML browser 408 is a conventional HTML browser. See also col. 7, lines 24 – 30).

Schmeidler and Mobini are analogous art because they are both related to selecting a rendering process based on a type of content being processed. Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the video content rendering techniques taught by Schmeidler with the video rendering techniques taught by Mobini in order to enable DVD, CD and other media players to access presentation data, software updates and other information over computer networks, such as the Internet, while still complying with the specifications to which they were designed, and to broaden the scope of content that can be received and rendered locally (See also Mobini, col. 2, line 35 – 41).

Claims 23 - 26 are rejected in view of the above rejection of claims 5 - 8, respectively, as differing from said claims only in statutory category. Claims 23 - 26 are essentially the same as claims 5 - 8, except that claims 23 - 26 set forth the invention as a program rather than a method, as do claims 5 - 8.

Claim 29 is rejected in view of the above rejection of claims 11, as differing from said claim only in statutory category. Claim 29 is essentially the same as claim 11, except that claims 29 sets forth the invention as a program rather than a method, as does claim 11.

5. Claim 9 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmeidler in view of U.S. Patent 6,009,462 A Birrell et al. (Birrell).

With respect to claim 9, Schmeidler teaches the method of claim 1. Schmeidler fails to explicitly teach additional limitation of claim 9 further comprising redefining the content type after routing the data stream to prevent subsequent processing of the data stream by the default rendering. Birrell teaches additional limitation of claim 9 further comprising redefining the content type after routing the data stream to prevent subsequent processing of the data stream by the default rendering. (See Fig. 10 and col. 13, lines 3 - 5).

Schmeidler and Birrell are analogous art because they are both related to demand based content delivery and selecting a rendering process based on a type of content being received. Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the video content rendering techniques taught by Schmeidler with the rendering techniques for file

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attachments taught by Birrell in order to provide users with the ability to receive video content via e-mail. (See also Birrell, col. 4, lines 43 – 50).

Claim 27 is rejected in view of the above rejection of claims 9, as differing from said claim only in statutory category. Claim 27 is essentially the same as claim 9, except that claims 27 sets forth the invention as a program rather than a method, as does claim 9.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. 6035330, "World wide web navigational mapping system and method" by Paul Astiz et al. The patent teaches a browser that detects the MIME type of the current file and uses the appropriate viewer to translate the MIME type into another MIME type understood by the browser.

U.S. Patent No. 6317781 B1, "Wireless communication device with markup language based man-machine interface", by De Boor et al. The patent teaches a browser that renders an extended form of HTML that provides new tags and attributes that enhance the navigational, logical, and display capabilities of conventional HTML, and particularly adapt HTML to be displayed and used on wireless communication devices with small screen displays. The browser includes protocol handlers, which implement different protocols for accessing various functions of the wireless communication device, and content handlers, which implement various content display mechanisms for fetching and outputting content on a screen display.

U.S. Patent No. 6584478 B1, "Transparent garbage collection of resources" by Spertus. The patent teaches techniques for transparently registering non-memory resources used by a program with a garbage collector so that the non-memory resources can be freed when the program is finished using them.

U.S. Patent No. 6401099 B1, "Asynchronous binding of named objects" by Koppolu et al. The patent teaches an object-oriented framework that unifies retrieval and browsing of data locally and from remote computer networks. The framework includes a class of monikers that operate on behalf of a client program to asynchronously bind or retrieve data referenced by a name without blocking execution of the client. This allows the client to provide responsive user interaction including when remotely retrieving data.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vitali Korobov whose telephone number is 571-272-7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vitali Korobov
Examiner
Art Unit 2155

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HOSAIN ALAM
SUPERVISORY PATENT EXAMINER